STAND. COM. REP. NO. 2929

Honolulu, Hawaii

## MAR 1 9 2014

RE: H.B. No. 2347

H.D. 2 S.D. 1

Honorable Donna Mercado Kim President of the Senate Twenty-Seventh State Legislature Regular Session of 2014 State of Hawaii

## Madam:

Your Committee on Public Safety, Intergovernmental and Military Affairs, to which was referred H.B. No. 2347, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO DEPARTMENT OF TAXATION CRIMINAL INVESTIGATORS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Clarify that all Department of Taxation criminal investigators, including those who are subject to civil service laws, have police powers; and
- (2) Provide that the civil service exemption for criminal investigators is discretionary, rather than mandatory.

Your Committee received testimony in support of this measure from the Department of Taxation and the Hawaii Government Employees Association. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that section 231-4.3, Hawaii Revised Statutes, grants police powers to only civil service exempt criminal investigators. However, the Department of Taxation's criminal investigation unit supervisor is a civil service employee. This measure clarifies that all of the Department's

criminal investigators, including those who are civil service employees, have police powers.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2347, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2347, H.D. 2, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on behalf of the members of the Committee on Public Safety, Intergovernmental and Military Affairs,

WILL ESPERO, Chair

## The Senate Twenty-Seventh Legislature State of Hawai'i

## Record of Votes Committee on Public Safety and Military Affairs PSM

HB 2347 HD2 PSM	ee Referral:	Dat	e: 3-11-	2014
The committee is reconsidering its previous decision on this measure.				
If so, then the previous decision was to:				
The Recommendation is:				
Pass, unamended Pass, 2312	with amendme 2311		old F 10	Recommit 2313
Members	Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)				
BAKER, Rosalyn H. (VC)	V			
GALUTERIA, Brickwood				~
GREEN, M.D., Josh				
SLOM, Sam				
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TOTAL	2	2	_	1
Recommendation:  Adopted  Not Adopted				
Chair's or Designee's Signature:	HB.	el		
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

\*Only one measure per Record of Votes